

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
DOMINIC V. DiMODICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 05-10286-PBS
	)	
ROBERT MURPHY, KATHLEEN	)	
DENNEHY, and the MASSACHUSETTS	)	
DEPARTMENT OF CORRECTION,	)	
	)	
Defendants.	)	
_____	)	

**PLAINTIFF'S ASSENTED-TO MOTION FOR AN EXTENSION OF TIME  
TO AMEND THE COMPLAINT**

Plaintiff, Dominic V. DiModica ("Plaintiff"), respectfully requests that the Court extend the time for filing an amended complaint until September 30, 2005. Defendants have assented to this Motion. In support of this Motion, Plaintiff states as follows:

1. Plaintiff filed his Complaint *pro se* on February 4, 2005;
2. The Court appointed the undersigned *pro bono* counsel on July 25;
3. Pursuant to the July 25 status conference held in this matter and the Protective Order entered on August 8, Defendants' counsel produced nearly 5,000 pages of medical and other documents relating to Plaintiff on August 10;
4. Plaintiff seeks an extension of time to review the documents provided by Defendants and confer with both Mark J. Gillis, Esq., Plaintiff's Court-appointed *guardian ad litem*, and Defendants' attorney in an effort to narrow the issues set forth in Plaintiff's *pro se* complaint;
5. Plaintiff's amended complaint is currently due on August 22, 2005; and

6. Defendants' counsel has assented to Plaintiff's request for an extension of time to amend the complaint.

WHEREFORE, Plaintiff respectfully requests that the Court allow his Assented-To Motion for an Extension of Time to Amend the Complaint, thereby extending the deadline until September 30, 2005.

Respectfully submitted,

DOMINIC V. DiMODICA,

By his attorney,

/s/ Jennifer A. Serafyn  
Jennifer A. Serafyn (BBO #653739)  
Seyfarth Shaw LLP  
World Trade Center East  
Two Seaport Lane, Suite 300  
Boston, MA 02210-2028  
(617) 946-4800

Date: August 15, 2005

**CERTIFICATE OF SERVICE**

I, Jennifer A. Serafyn, hereby certify that on August 15, 2005, I caused a true copy of the above to be delivered, via electronic filing, upon the defendants' attorney:

Mary P. Murray  
Department of Correction  
Massachusetts Treatment Center Legal Office  
30 Administration Road  
Bridgewater, MA 02324

/s/ Jennifer A. Serafyn  
Jennifer A. Serafyn